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Paper 12  
Entered: 10 February 2009

UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

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Patent Interference 105,628 McK  
Technology Center 2800

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**MICHAEL SASGES,**

Application 09/846,682,  
Junior Party,

v.

**CARL C. PETERSEN, FREDERICK L. GLESIUS,  
GREGGORY A. SCHNEIDER and LEO R. LOMBARDO,**

Patent 6,057,917,  
Senior Party.

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*Before: FRED E. McKELVEY, Senior Administrative Patent Judge,  
and RICHARD E. SCHAFER and SALLY GARDNER LANE,  
Administrative Patent Judges.*

*McKELVEY, Senior Administrative Patent Judge.*

**JUDGMENT**

Upon consideration of SASGES MISCELLANEOUS MOTION 1  
(Paper 10), including the express abandonment accompanying the  
motion, and treating the motion and express abandonment as a  
request for entry of adverse judgment (37 C.F.R. § 127(2)(b) (2008)),  
it is

1 ORDERED that judgment on priority as to Count 1 (the  
2 sole count in the interference; Paper 1, page 8) is awarded against  
3 Junior Party Michael Sasges (real party in interest Trojan  
4 Technologies, Inc.).

5 FURTHER ORDERED that Junior Party Michael Sasges  
6 (real party in interest Trojan Technologies, Inc.) is not entitled to a  
7 patent containing claims 1-21 (corresponding to Count 1) of:

8 application 09/846,682  
9 filed 02 May 2001  
10

11 FURTHER ORDERED that claims 1-21 of application  
12 09/846,682 are finally refused. 35 U.S.C. § 135(a).

13 FURTHER ORDERED that if there is a settlement  
14 agreement, attention is directed to 35 U.S.C. § 135(c).

15 FURTHER ORDERED that a copy of this JUDGMENT  
16 shall be placed in the files of (1) application 09/846,682 and (2) U.S.  
17 Patent 6,057,917.

18 FURTHER ORDERED that the Clerk is directed to  
19 distribute the files upon entry of this JUDGMENT.

1 105,628  
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